

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
	)	
v.	)	Criminal No. 04-30004-MAP
	)	
	)	
ROOSEVELT ARCHIE,	)	
Defendant.	)	

PARTIES' SECOND JOINT MEMORANDUM  
PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and counsel for the defense, hereby file their joint memorandum pursuant to Local Rule 116.5(A):

1. Relief should not be granted from the otherwise applicable timing requirements imposed by L.R. 116.3. The government has provided automatic discovery.
2. The defendant has not sought discovery concerning expert witnesses under Fed. R. Crim. P. 16(a)(1)(E).
3. Both the government and the defense agree to confer with respect to discovery issues should either side receive additional information, documents, or reports of examinations or tests.
4. The government does not know if the defense intends to file motions. The parties should confer at the upcoming status conference on whether it is appropriate to establish a motion schedule under Fed. R. Crim. P. 12(c) at this time.

5. The defense and the government agree that all of the time from arraignment until the date of the filing of the defendant's motions or the next status conference should be excluded under the Speedy Trial Act.

6. It is not clear whether a trial will be necessary.

7. A final status conference should not be scheduled.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

by:

  
JAMES R. GOODHINES  
Special Asst. U.S. Attorney

  
VINCENT BONGIORNI, Esq.  
Counsel for Defendant

Date: May 27, 2004